

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 08, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES DEAN CLOUD, (01)
DONOVAN QUINN CARTER
CLOUD, (02)

Defendants.

No. 1:19-cr-02032-SMJ-01
1:19-cr-02032-SMJ-02

**ORDER SETTING IN-PERSON
HEARING AND NOTICE RE:
COVID-19 PRECAUTIONS**

*****UNITED STATES MARSHALS
SERVICE ACTION REQUIRED*****

At the onset of the COVID-19 pandemic, the Court struck many in-person appearances to protect the health and safety of defendants, counsel, law enforcement, Court staff, and the public. However, due to the extended duration of the District's COVID-19 response measures, the Court understands the parties in this matter wish to proceed with the scheduled hearing on Defendant Cloud's (02) Motion to Suppress J.V.'s Tainted Identification, ECF No. 147, and the scheduled status conference, ECF No. 166, in-person. ECF No. 168. As such, the hearing will be conducted on June 23, 2020, subject to the precautions set out below to ensure the health and safety of participants.

//

Accordingly, **IT IS HEREBY ORDERED:**

1. The hearing on Defendant Cloud's (02) Motion to Suppress J.V.'s Tainted Identification, ECF No. 147, and the status conference in this matter, are **SET** for June 23, 2020 at **8:30 A.M.** in **Yakima Courtroom 203**. All parties shall make the necessary arrangements to appear in person, including for the appearance of any witnesses whose testimony they wish to present.

2. For the hearing:

A. All parties shall abide by social distancing requirements, including defense counsel and their clients, at all times when inside the courthouse. Where necessary to permit private discussion between either Defendant and defense counsel, the Court will allow counsel to approach the Defendant.

B. All counsel and others addressing the Court will do so from counsel table, rather than from the podium.

C. All persons shall wear a face covering while inside the courthouse.

i. Counsel or witnesses addressing the Court will be permitted to remove their mask **only** during the time when they are speaking.

1 ii. Parties and witnesses reporting for in person hearings
2 without a mask will be provided a mask by the Court
3 Security Officer at the courthouse entrance.

4 iii. No individual other than those associated with the hearing
5 and required to attend will be permitted access to the
6 Yakima Courthouse, which remains closed to the public.

7 iv. A public telephone conference line will be made available
8 for the public for this hearing. **Hearing content**
9 **provided via videoconference access MUST NOT be**
10 **recorded or rebroadcast.** Non-parties may call the
11 Court's public conference line at **1-888-808-6929**;
12 Access code **3648461** (no security code required), five
13 minutes before the scheduled conference time.

14 //

15 //

16 //

17 //


18 //

19 //

20 //

1 Any person experiencing symptoms of COVID-19, or who has been in
2 contact with a person known or suspected of contracting COVID-19, shall contact
3 Court staff to allow the hearing to be reset. There is no obligation to disclose private
4 health or personal information, but the Court asks the parties to weigh the health
5 and safety of all participants when determining whether an in-person hearing should
6 occur.

7 **DATED** this 8th day of June 2020.

8 
9 SALVADOR MENDOZA, JR.
10 United States District Judge
11
12
13
14
15
16
17
18
19
20